

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Chapter 7
	:	Bankruptcy No.: 18-12499-ELF
JAMES E DIDIO,	:	
Debtor.	:	
	:	
THE BANKCORP BANK ASSOCIATION	:	
Movant,	:	
v.	:	11 U.S.C. §362
JAMES E DiDIO	:	
DEBTOR	:	
GARY F SEITZ, Trustee	:	
Respondents	:	

ORDER

AND NOW, this day of , 2018, upon consideration of Marla Green's Opposition to THE BANKCORP BANK ASSOCIATION's Motion for Relief From Automatic Stay and any response thereto, it is hereby:

ORDERED and DECREED, that the Motion for Relief From Automatic Stay is DENIED.

By the Court:_____

United States Bankruptcy Judge

In re:	:	Chapter 7
	:	Bankruptcy No.: 18-12499-ELF
JAMES E DIDIO,	:	
Debtor.	:	
	:	
THE BANKCORP BANK ASSOCIATION	:	
Movant,	:	
v.	:	11 U.S.C. §362
JAMES E DiDIO	:	
DEBTOR	:	
GARY F SEITZ, Trustee	:	
Respondents	:	

**MARLA GREEN, PARTY IN INTEREST'S ANSWER IN OPPOSITION
TO MOTION FOR RELIEF FROM AUTOMATIC STAY**

Marla Green (“Party in Interest”), and a Plaintiff in an Adversary Matter seeking non-discharge against Debtor, through her counsel Paul A.R. Stewart, respectfully submits this Opposition to THE BANKCORP BANK ASSOCIATION’s Motion (“Creditor” or “Movant”) for relief from the automatic stay filed on November 1, 2018, as follows:

1. Admitted.
2. Admitted debtor and Marla Green are joint owners of premises.
3. Denied as to Marla Green executed Mortgage. Admitted that a Mortgage was recorded.
4. Denied. Plaintiff has no power to declare default. Denied to the extent said mortgage was procured through artifice. Also denied as legal conclusion regarding the terms of the Mortgage.
5. Denied as to amount, late charges, and attorney’s fees and costs, where movant is not entitled to relief.
6. Denied. Marla Green asserts mortgage obtained through artifice and seeks non-discharge of debtor related to this mortgage debt.
7. Denied. Movant asserted no base for claim, and is not entitled to relief, where the subject property is worth in excess of \$4 million dollars and equity exists in the property in excess of \$2 million dollars, which on its face provides adequate protection to movant. Marla Green seeks to protect equity in the property and non-discharge of debtor related to this mortgage debt, and responds as follows, without implication that movant is entitled to relief:
 - (a) Denied;
 - (b) Denied;
 - (c) Admitted to the extent of public (court) records.

WHEREFORE, Debtor prays this Honorable Court deny Movant's Motion for Relief From Automatic Stay.

Date: November 21, 2018

Respectfully submitted,

Helm Legal Services LLC

/s/ Paul A R Stewart

Legal Helm, LLC

Paul A.R. Stewart, Esquire

Attorney for Party in Interest

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Marla Green's Opposition to THE BANKCORP BANK ASSOCIATION's Motion for Relief From Automatic Stay was served on November 21, 2018, by means of the Court's CM/ECF system or via first-class mail, postage prepaid, upon the following:

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Debtor, James E DiDio counsel.

United States Trustee (via ECF)
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Philadelphia, PA 19107

Gary F. Seitz, Esquire (Trustee)
Chapter 7 Trustee
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Philadelphia, PA 19107

James E. Didio
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/s/ Paul A R Stewart
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